

Message Text

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PAGE 01 STATE 107477

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ORIGIN DHA-02

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DRAFTED BY D/HA/ORM:LARTHUR:CML

APPROVED BY D/HA - JLCARLIN

D/HA/ORM - SCLOWMAN

ARA/CAR - DSTRASSER (SUBSTANCE)

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P R 040029Z MAY 76

FM SECSTATE WASHDC

TO AMEMBASSY PORT AU PRINCE

INFO COMNAVBASE GUANTANAMO BAY CUBA

USMISSION GENEVA

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E.O. 11652: N/A

TAGS: SREF, HA (GABRIEL CARTRIGHT AND SON, SAMMY)

SUBJECT: HAITIANS AT GUANTANAMO

REF: (A) PORT AU PRINCE 1006; (B) PORT AU PRINCE 992;

(C) PORT AU PRINCE 951

1. DEPT. APPRECIATES THOROUGH INVESTIGATION OF STATEMENTS
MADE BY CARTRIGHT. AS A RESULT OF THIS INVESTIGATION,
WE ARE UNABLE TO CONCLUDE THAT HE HAS MADE A VALID CLAIM
TO REFUGEE STATUS.

2. SUGGEST EMB. OBTAIN ASSURANCES SIMILIAR TO THOSE OB-
TAINED IN THE RETURN OF THE OTHER HAITIANS FROM GUANTANAMO
TO PORT AU PRINCE ON APRIL 14. BEFORE AUTHORIZING CART-
RIGHT'S RETURN, WE DESIRE CLARIFICATION OF STATUS OF THOSE
HAITIANS STILL UNDER DETENTION IN CONNECTION WITH THE
INVESTIGATION OF DIEUSEUL'S DEATH, PER PARA 3, REFTEL A.

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PAGE 02 STATE 107477

3. IF CARTRIGHT WERE IN U.S. AND ASYLUM REQUEST WAS DENIED, HE COULD APPEAL DIRECTLY TO UNHCR FOR THIRD COUNTRY RESETTLEMENT ASSISTANCE. DEPORTATION IS NOT WAIVED OR DELAYED PENDING UNHCR ACTION HOWEVER. DUE TO CART-RIGHT'S LIMITED ACCESS IN GUANTANAMO TO UNHCR AND THIRD

COUNTRY GOVERNMENTS, DEPT. COULD INFORM UNHCR OF CART-RIGHT'S DESIRE FOR THIRD COUNTRY RESETTLEMENT. THIS WOULD ONLY BE DONE , HOWEVER, AT CARTRIGHT'S INSISTENCE AND UNDER THE FOLLOWING CONDITIONS: (A) UNHCR IS INFORMED OF OUR INABILITY TO CLASSIFY HIM AS A REFUGEE, AND (B) THAT OUR REFERRAL OF CARTRIGHT'S CASE TO UNHCR IS BASED ON HIS INSISTENCE FOR THIRD COUNTRY RESETTLEMENT AND NOT ON ANY RELUCTANCE ON OUR PART TO RETURN HIM TO HAITI BECAUSE OF POSSIBLE PERSECUTION.

4. DELAY IN AWAITING OUTCOME OF THE DETENTION OF THE OTHER HAITIANS MIGHT PROVIDE US OPPORTUNITY TO INFORM UNHCR OF CARTRIGHT'S DESIRE FOR THIRD COUNTRY RESETTLEMENT. CARTRIGHT WOULD HAVE TO AUTHORIZE US TO CONTACT UNHCR ON HIS BEHALF. WE WOULD ALSO INFORM UNHCR OF CUSTODY PROBLEM INVOLVING CARTRIGHT'S SON.

5. POST IS REQUESTED TO ASK CARTRIGHT IF HE DESIRES UNHCR TO SEEK THIRD COUNTRY PLACEMENT AND, IF SO, WHETHER HE APPROVES THE RELEASE OF INFORMATION TO UNHCR THAT HE PROVIDED TO EMBASSY OFFICIALS DURING INTERVIEWS. SISCO

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